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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

JUSTIN HIDALGO, COURTNEY
BENTLEY, and GAVIN BOOMER,

Plaintiffs

v.

GLOBAL K9 PROTECTION GROUP LLC,

Defendant.

Case No. 3:20-cv-02780-VC

**~~[PROPOSED]~~ ORDER GRANTING
PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT, CONDITIONAL
CERTIFICATION OF CLASS, APPROVAL
OF CLASS NOTICE, AND SETTING OF
FINAL APPROVAL HEARING**

Hon. Vince Chhabria

~~PROPOSED~~ ORDER

On May 27, 2021, the Court heard a motion by Plaintiffs Justin Hidalgo, Courtney Bentley, and Gavin Boomer (“Plaintiffs”) for preliminary approval of their proposed class action settlement with Defendant Global K9 Protection Group, LLC (“Defendant”).

This is a hybrid class and collective action brought under Fed. R. Civ. Proc. 23 for a Class of 43 canine handlers who worked for Defendant in California. This Court previously conditionally certified a class of handlers under the Fair Labor Standards Act, 29 U.S.C. § 201, *et seq.* ECF Dkt. 41. After conditional certification, Notice was directed and 45 individuals consented to join the collective action. Of these, 32 reside outside of California.

Based on the current record, the Court concludes that the settlement agreement is fair, reasonable, and adequate within the meaning of Rule 23(e)(2). *See Cotter v. Lyft, Inc.*, 193 F. Supp. 3d 1030, 1033, 36-37 (N.D. Cal. 2016); *Hunt v. VEP Healthcare, Inc.*, No. 16-cv-04790-VC, 2017 WL 3608297 (N.D. Cal. Aug. 22, 2017); *Eddings v. DS Services of America, Inc.*, No. 15-cv-02576- VC, 2016 WL 3390477 (N.D. Cal. May 20, 2016).

Having read and considered Plaintiffs’ Motion for Preliminary Approval of the Class Action Settlement proposed in this matter, and the Parties’ Stipulation and Agreement of Class Action Settlement (“Settlement”), and good cause appearing, the Court GRANTS the Motion for Preliminary Approval of Class Action Settlement and FINDS and ORDERS as follows:

1. The Court finds on a preliminary basis that the Settlement, memorialized in the agreement filed as Exhibit A to the April 29, 2021 Declaration of Christian Schreiber (“Schreiber Decl.”), is, based on the current record, fair, reasonable, and adequate within the meaning of Rule 23(e)(2).

2. The Court conditionally certifies, for settlement purposes only, the following settlement Class:

All individuals employed by Defendant as canine handlers (“handlers”) at any time between April 21, 2016 through February 15, 2021 who either (1) worked for Defendant in California or (2) worked for Defendant outside of California and opted into the collective action.

3. The Court finds that, for settlement purposes only, the requirements of Federal Rule of Civil Procedure 23(a) and Federal Rule of Civil Procedure 23(b)(3) are satisfied, with the exception of the manageability requirement of Rule 23(b)(3), which the Court need not address for purposes of settlement. There are 75 members of the Settlement Class. Settlement, Exs. A-B.

4. The Court appoints, for settlement purposes only, Justin Hidalgo, Courtney Bentley, and Gavin Boomer, as the Class Representatives.

5. The Court appoints, for settlement purposes only, Christian Schreiber and the law firm of Olivier Schreiber & Chao LLP and Ramsey Hanafi and the law firm of Quintana Hanafi, LLP as Class Counsel.

6. The Court appoints CPT Group, Inc. as Settlement Administrator.

7. The Court approves, as to form and content, the Class Notice attached to the Schreiber Declaration as Exhibit B. The Settlement Administrator is ordered to furnish the Class Notice to the Class Members as provided in the Settlement.

8. Each Class Member who wishes to be excluded from the settlement Class will have thirty-five (35) days from the date the Class Notice is sent to opt-out of the Class.

9. Each settlement Class Member who does not opt-out will have thirty-five (35) days after the date on which the Settlement Administrator sends the Class Notice to object to the Settlement by serving a written objection on the Settlement Administrator (who will then promptly serve it on Class Counsel and Defendant's counsel). Class Counsel shall file any objections received with the Court. A Class Member who substantially complies with this requirement and demonstrates good cause for failing to file a timely objection will be deemed to have filed a timely objection.

10. The Court will conduct a Final Approval Hearing on August 26, 2021, at 2:00 p.m., or as soon thereafter as the matter may be heard, to determine the overall fairness of the settlement and to fix the amount of reasonable attorneys' fees and costs to Class Counsel and service payments to the Class Representatives.

11. The Final Approval Hearing may be continued without further notice to the Class Members. Class Counsel shall file their motion for approval of reasonable attorneys' fees, costs,

and the Class Representative service payments sought in the Settlement and their motion for final approval of the settlement by July 30, 2021.

12. The schedule for further proceedings is as follows:

Event	Event Date
Defendant to provide class contact information to Settlement Administrator	Wednesday, June 9, 2021
Settlement Administrator to send Class Notice to the Settlement Class	Friday, July 9, 2021
Class Counsel to file Motion for Final Settlement Approval, Motion for Attorneys' Fees and Costs and Class Representative Service Payments	Friday, July 30, 2021
Objection/Exclusion Deadline	Friday August 13, 2021
Final Approval Hearing	Thursday, August 26, 2021

IT IS SO ORDERED.

DATE: May 28, 2021



Vince Chhabria
UNITED STATES DISTRICT JUDGE